

BY SPEED POST

ELECTION COMMISSION OF INDIA
NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI-110001.

K.N.BHAR
UNDER SECRETARY

No.51/8/7/2008-EMS (Inst.-I)

Date: 11/08/08

To,

The Chief Electoral Officers of
All the States and Union Territories

Sub: Use of EVM in the elections- additional transparency measures

Sir,

The Election Commission of India used the Electronic Voting Machines (EVM) on an experimental basis for the first time in 1982 in an election in Kerala. After that the use of EVM was gradually increased and finally the universal use of EVM in the country became a reality in the year 2004 when EVM was used in all polling stations in the General Election to the Lok Sabha. The efficacy of EVM has stood the judicial scrutiny and the independent studies made on the use of EVM have also confirmed the voters' satisfaction about the use of EVM in elections.

The Election Commission of India, from time to time, has been issuing instructions on various measures to be taken at the time of preparation of EVM for use in the elections (vide no 51/8/7/2007-PLN-IV 12th October, 2007); protocol for first level checking of EVMs before elections (vide 51/8/16/4/2007, dated 12th October, 2007) and on protocol for security measures for EVMs (vide 464/OBS/EVM/2007 PLN-IV, 12th October, 2007). The Handbook for Returning Officers (at elections where electronic voting machines are used) published by the Commission provides detailed instructions on the various aspects of the EVM management.

As an additional measure that aims at greater transparency, the Commission has decided to introduce a randomization protocol for the deployment of EVM in various assembly constituencies/ assembly segments and has issued the following instructions to be followed meticulously without any deviation:-

1. STORAGE

As a general policy, the Commission desires that all EVMs available within a district shall be stored at the district headquarters under the direct control of the District Election Officer. It may be possible that due to want of storage space the EVMs may be stored in a decentralized manner in different locations. Even in such cases, for the purpose of first level checking and randomization procedure proposed to be introduced through this instruction, all EVMs available in the district shall be brought to the district headquarters under proper escort.

2. FIRST LEVEL CHECKING

- a. The first level checking as prescribed in the earlier instructions shall from now onwards be carried out only by the BEL/ECIL engineers, as the case may be, only at the district head quarters. For coordinating all activities connected with the first level checking, the DEO shall nominate a nodal officer at his level and intimate the name of such officer to the CEO. The first level checking will be done by following the existing instructions and procedures.
- b. For the purpose of tracking various steps taken in the process of first level checking, randomization and deployment of EVM, an adhesive label (pre-printed sticker) will be prepared and kept ready for use. (This can be organized centrally by the CEO or the DEO can print at their level as per the decision of CEO in this regard). A sample model of such label is given in Annexure 1.

3. NUMBERING OF EVMs

As soon as the first level check is over the sticker will be pasted on the back side of the CU and the checking- engineer will put his signature indicating the date in the relevant slot provided in the sticker. This would mean that the CU is in order in every respect. The unique machine number of the control unit (CU) will be also indicated in the relevant slot in the sticker; besides, a running serial number will also be allotted to the CU and will be indicated in the relevant slot. Simultaneously, the representative of DEO duly authorized for this purpose will also put his signature in the relevant space. After this, CU shall be stored with due precaution and care. In case of any CU found to be defective during checking, such CUs shall be isolated and kept separately for follow up action for rectification of defect. The above procedure will also be applicable for the Balloting Units which will be verified, signed and numbered in the above manner.

4. DATABASE

A database of the CUs and BUs verified and certified will be prepared separately and kept in readiness for randomization. The data base structure will contain details of CUs and BUs indicating the machine number (original number given by the manufacturer as inscribed on a metallic plate at the back side of the CU/BU as the case may be.) The CUs/ BUs so verified shall be kept under proper lock and key.

5. SCHEDULE FOR RANDOMIZATION OF EVM

The DEO will fix up a schedule, which should in any case be fixed before the start of training of polling personnel, for randomization of CUs/ BUs for distribution to ACs in the presence of the representatives of recognized political parties. The randomization will be done in such a way that the CUs /BUs are randomly selected by grouping them to match the poll day requirement including the reserve required for each constituency. Again, the surplus CUs/BUs shall also be randomly grouped and distributed AC wise for the purpose of training (for the training of the polling staff as well as for the purpose of voter awareness). A sticker of different color shall be affixed at the front side of the CUs/ BUs set aside for training purpose

clearly indicating “.....(Name of State/UT along with year): Training CU/ BU”. While randomizing the CUs/ BUs the DEO shall take the number of polling stations in each constituency into account.

6. ALLOCATION OF ID

After AC wise grouping of CUs/ BUs is done in the above manner, a ‘current ID’ shall be assigned to each of CU/ BU in the relevant slot provided in the sticker. The ‘current ID’ would mean ‘the AC no followed by a new running serial number for that AC’. For example if AC No 56 is allotted 280 CUs and BUs the current ID for the CUs would be from ‘56/CU/001’ to ‘56/CU/280’. Similarly the current ID for BU would read ‘56/BU/001 to 56/BU/280’.

7. DISTRIBUTION OF LIST & EVM TO RETURNING OFFICER

- a. The randomized list of CUs and BUs allotted to each AC for use at polling stations as well as the training EVMs shall be prepared separately and signed by the DEOs representative and the R.O and that list shall be handed over to all representatives of the recognized political parties. Even if a representative is not available at the time of randomization the list shall still be sent to the party office and a receipt obtained.
- b. Thereafter, the R.O of the constituency, shall take charge of the CUs/BUs randomly allotted to his constituency. The CUs/BUs meant for use at the election shall be separately taken to R.O’s strong room under proper escort and will be guarded. The training EVMs shall be distributed to the relevant officers for the training purpose. At the time of sealing the strong room, the representatives of political parties can remain present and they can also affix their seal on the lock.

8. PREPARATION OF EVM

- a. On the day fixed for preparing the CUs/BUs for use in the election, the R.O will ensure that the preparation of CUs/BUs is done invariably in the presence of the candidate or his agent or authorized representative and in the presence of observer as per the existing instructions. Now, the R.O will do the second randomization of the CUs/ BUs to allot the CU/ BU to specific polling stations. After that he will write the PS No to which the CU/BU has been randomly allotted in the slot provided for it in the adhesive label. The remaining CUs/BUs (not allotted to any specific PS) shall be kept as ‘Reserve’ for use if needed. Such CUs /BUs shall be marked as ‘R’ – meaning ‘Reserve’ in the slot meant for PS No.
- b. At this stage, the CU and BU randomly earmarked PS wise as above shall be identified by matching the PS no and kept in pair by tagging them together. Any candidate/ agent present at the preparation hall may choose to get the CU/BU again checked by the master trainers/ technical personnel if available through a ‘mock poll cum result verification’ in order to satisfy himself about the functioning of the EVM. The R.O should also, as a pro-active measure, do a random verification of at least 10% of such CU-BU pairs to test the working status of the EVMs.

- c. Then a Polling Station wise list indicating the Current ID and machine number of the CU/BU allotted to each PS will be prepared and signed by the R.O. The R.O will also prepare a separate list of CUs/BUs marked as 'R' indicating the current ID and machine number. Both the above lists will be signed by R.O and copies shared with the candidates/ agents/ representatives and their signature shall be obtained as the token of receipt.
- d. As per the existing instructions two types of address tags – one for use on CU and another on BU have been prescribed. From now on wards, the tag shall also contain the current ID no (as mentioned in the sticker- read para 7 above). The address tag attached to reserve CU/ BU shall indicate the 'Reserve' status of the unit. The tagging of address tag shall also be done at this stage itself – in the presence of candidates/ agents/ observer. All the CUs/ BUs allotted to Polling Stations as above as well as the reserve machines shall be kept in the strong room in the presence of candidates/ agents. They can also be allowed to affix their seal on the lock of the strong room.

9. DISPERSAL OF EVMs FOR ACTUAL POLL

- a. When the EVMs are taken out of the strong room for dispatch the usual precaution of informing the date and time of opening of strong room in writing to the candidates/ agents shall be followed.
- b. At the time of dispatch the Presiding Officers shall be advised to compare the machine number inscribed on the metal label and the adhesive sticker and also verify the PS no indicated on the sticker compared with PS no mentioned in the address tag before accepting the EVM. Discrepancy if any shall be brought to the notice of the officer in charge of dispatch arrangement and be reconciled.
- c. The candidates may be advised to share the current ID and machine number of the EVM (both CU/ BU) allotted to the specific PS with their polling agent/ agents appointed by them so that they are in a position to inspect the EVM for their satisfaction before the commencement of mock poll on the poll day. The Presiding Officers shall be advised to display the sticker containing the machine number and current ID etc., to the agents present before the commencement of the mock poll. It is relevant to note that as per the existing instructions the presiding officer is supposed to mention the number of CU/ CUs used; serial numbers of CU/CUs used; numbers of BU/BUs used and serial numbers of BU/BUs used at the polling station in the Presiding Officer's Diary (refer: Chapter XXVIII, Para 1 of Handbook for Presiding Officers- At elections where electronic voting machines are used, 2004). This instruction shall be scrupulously followed.

10. REPLACEMENT OF EVM DURING POLL

In case of replacement of CU or BU due to reason at any polling station the sector officer or any authorized officer who effects such replacement shall prepare a special report indicating the machine number and current ID of the existing CU/BU and new CU /BU separately. The officer shall also mention in the special report, the reason for deployment of the spare CU/BU and the time of such replacement, votes polled in the replaced machine at that point of time and leave one copy of the special report with the Presiding Officer while retaining a copy to be handed over to the R.O..

11. RECEPTION OF EVMs AFTER POLL

The machines shall be escorted back after the poll is over to the reception centres under proper escort. After all formalities are completed, the EVMs shall be kept in strong room and the room sealed in the presence of the candidates/their agents and observer.

12. REPOLL

- a. In case of repoll, the EVM required for repoll shall be drawn from the reserve list and the CU/BU number shall be informed to the candidates/agents in writing. Care shall be taken to ensure that the address tag on the CU and BU clearly mentions it to be the EVM for use in the repoll indicating the date and PS no..
- b. After repoll, for the storage of the repolled EVM, the strong room shall be re-opened in the presence of the candidates/ their agents and observer. This repoll EVM should be placed together with the old EVM which was used earlier in the original poll. A tag '**Not to be counted**' shall be put prominently on the old EVM and another tag '**Repoll EVM – to be counted**' shall be put on the new repoll EVM. RO shall put signature on both the tags.

13. COMMUNICATION TO POLITICAL PARTIES/ CANDIDATES

The political parties/candidates should be advised in writing to properly train their counting agents and that they should bring (for tallying purpose) their copies of Form 17-C which shows the machine numbers used at the polling station and was handed over to them at the close of the polling by the presiding officer. Besides, the candidates have also been given a consolidated list of polling station wise list of CUs used during the polls (Read Para 12 above). This along with the additional information given by RO in writing to the candidates regarding the machine numbers of CUs used as replacement and the CUs used during repoll will give a complete picture of the all the EVMs used at polling stations. In order to further facilitate, additionally, the RO shall paste the EVM deployment account indicating the CU numbers of EVM used polling station wise in the relevant counting hall itself for everyone to see.

14. VIDEOGRAPHY OF THE EVENTS

All the stages enumerated above shall invariably be fully covered with videography and records kept properly.

15. **The above instructions should be complied with without any deviation and brought to the notice of all concerned, viz. the political parties, contesting candidates, all field officers concerned and the Observers.**
16. **The receipt of the letter may kindly be acknowledged.**

Yours faithfully,

(K.N.BHAR)

ANNEXURE-I

Name of the State/UT:				
Name of the election:				
District Name:				
Control Unit No.		District Running Srl.No.		
Current ID				
First Level Check			CU Randomization 1	
Date	Rep.BEL/ ECIL	Rep. D.E.O	Date	Rep D.E.O/ R.O
Randomization 2 Date	Deployment Status	Polling Station No.	R.O./ARO.	

BY SPEED POST

ELECTION COMMISSION OF INDIA

NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI-110001.

K.N.BHAR

UNDER SECRETARY

No. 51/8/7/2008-EMS

Date: 15/07/08

To,

The Chief Electoral Officers of
All the States and Union Territories

Sub: Tracking the presence of polling agents at the polling stations on the poll day and mandatory conduct of Mock Poll and certification therein.

Sir,

The Commission attaches highest importance to the integrity of process and transparency in the election process. Instructions in the past have been issued about the conduct of mock poll. The Commission also considers that the presence of the agents appointed by the contesting candidates during their poll augurs well for transparency. On the other hand, presence of the agents of only one of the candidates in the absence of other agents may lead to complaints.

In this regard, the Commission has issued the following instructions:-

1. The recent instruction of the Commission that the polling agents appointed by the candidates shall be a voter in the same polling station shall be implemented strictly. Candidates may be advised by the Returning Officer to ensure that the agents reach the polling stations well in advance before the commencement of poll so that the pre-poll formalities such as issue of entry pass to the agents, conduct of mock poll etc., are done in time.
2. The Presiding Officers shall conduct mock poll, following the existing instructions, in the presence of the polling agents and prepare and sign the mock poll certificate in the prescribed format as in Annexure 1.
3. The Presiding Officers shall mention the names of the agents and the candidates they represent and obtain their signatures for the purpose of record.

4. Mock poll shall be conducted normally at least 30 minutes before the commencement of actual poll. In case where even two agents of different candidates are not present, the P.O may choose to wait 10 more minutes and if the agents are not turning up even after that the Presiding Officer may conduct the mock poll for verifying the working condition of the EVM and mention about that in his certificate suitably.
5. The Returning Officer through the Sector Officers and using the communication link with the polling station/ mobile teams shall track the conduct or otherwise of mock poll and ascertain the mock poll status within 30 minutes. Non-confirmation of mock poll could be indicative of some problem on the part of presiding officer or the EVM and hence the Returning Officer shall make immediate intervention to sort out the problem.
6. The polling stations not having the presence of rival candidates of recognized parties and where the mock poll had to be conducted in the absence of agents shall merit focused attention of the election machinery. Interventions such as deployment of reserve micro-observers, deployment of video cameras, frequent visits by sector officers and other senior officers could be made.
7. After the completion of poll on the basis of mock poll certifications received from the Presiding Officers, the Returning Officer shall prepare a list of such polling stations where the mock poll had to be conducted in the absence of agents or where at the time of mock poll the agents of more than one rival candidates of recognized parties were not present and special attention shall be paid to the documents received from such polling stations for proper scrutiny. The observers shall also pay their attention to this aspect.

This may be brought to the notice of all concerned.

Yours faithfully,

(K.N.BHAR)

Annexure 1

Mock Poll Certificate

This is certified that I Presiding Officer at the Polling Station No ----- of ----- Assembly Constituency (or the -----Assembly segment under -----Parliamentary Constituency) conducted the mock poll at ---- AM today, the poll day i.e. ----- following the instructions issued by the Election Commission of India.

A total of ----- votes were polled in the mock poll and after the mock poll I have carefully cleared the memory and the total votes polled showed '0' after clearing the memory.

- A. At the time of mock poll the following of polling agents representing the candidates whose names mentioned against the names of such agents were present and I have obtained their signatures.
- B. At the time of mock poll the agent of only than one contesting candidate was present. After waiting for ten more minutes I conducted the mock poll along with other polling staff at ----- I have mentioned the name of the agent present at the time of mock poll including the name of the candidate whom he represented.

(In case, no agent was present it shall be mentioned “ No Polling agent was present at the time of mock poll)

Name of the agent

Name of the Candidate

Signature of the agent

Date:

Time:

Name & Signature
of the Presiding Officer

BY SPEED POST

ELECTION COMMISSION OF INDIA
NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI-110001.

K.N.BHAR
UNDER SECRETARY

No.51/8/7/2008-EMS (Inst.-II)

Date: 11/08/08

To,

The Chief Electoral Officers of
All the States and Union Territories

Sub: Use of EVM at polling stations additional instructions to ensure purity of elections.

Sir,

Feedbacks have been received about some polling officers and polling staff frequently going to the voting compartment at the time of actual poll to explain to the illiterate voters about how to use EVM. This gives scope for the polling agents of the candidates and political parties to make allegations about the neutrality of the polling staff. In order to ensure that the conduct of the presiding officer and other polling staff in no way gives scope for any complaint the Commission has issued the following instruction for the strict adherence:-

1. The D.E.O shall supply a printed sample of EVM ballot unit pasted on a cardboard (real size) to all the presiding officers along with other polling materials at the time of dispatch. While printing such model ballot care shall be taken to ensure that only dummy name and dummy symbols that are not in use, are used and not any real names or symbols. It shall be printed in color so that 'blue button' 'green light' and 'red light' etc are clearly represented.
2. Whenever any voter asks for help or expresses inability to vote using EVM, the presiding officer can explain to the voter the voting process using the cardboard model of the EVM ballot in such a manner that the voter is able to understand. This shall be done outside the voting compartment only in the presence of polling agents and never inside the voting compartment.
3. The Presiding Officer or other polling staff shall not frequent the voting compartment as that may give scope for complaints.

4. In order to ensure that no voter has committed any mischief by pasting any paper, tapes etc., on the symbol/ names / ballot button, the presiding officer may from time to time make an inspection of ballot unit (BU)- but he should make it a point to do so in the immediate presence of polling agents when there is no voter inside the voting compartment.
5. Any complaint about the conduct of the polling staff at the polling station shall be taken seriously and properly enquired. The Observers are being instructed to take serious note of such complaints and conduct or cause enquiry into such allegations and submit reports to the Commission.

This instruction shall be brought to the notice of all Presiding Officers during their training. Besides, a copy of this shall also be put in the kit handed over to the presiding officers along with other documents handed over at the time of dispatch. All political parties and candidates may also be informed about this new instruction.

The Receipt of the letter may kindly be acknowledged.

Yours faithfully,

(K.N.BHAR)